

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF DELAWARE**

IN RE: : **CHAPTER 11**
:
PROFESSIONAL VIDEO :
ASSOCIATION, INC. : **NO. 95-016 PJW**
:
DEBTOR :
:
MICHAEL J. HORAN : **Adversary Proceeding No. A98-247**
:
Plaintiff, :
:
v. :
:
WILLIAM DANTON, :
PROFESSIONAL VIDEO :
ASSOCIATION, INC., and VIDEO :
LOTTERY CONSULTANTS, INC., :
:
Defendants. :

DESIGNATION OF ITEMS OF RECORD PURSUANT TO RULE 8006

Plaintiff/Appellant Michael Horan, through undersigned counsel, designates the following items from the record:

I. DESIGNATION OF ITEMS

1. Scheduling Order 09/22/2006 [DI 162]
2. Motion to Reopen Adversary Proceeding 10/25/06 [DI 165]
3. Brief in Support of Motion to Reopen 10/25/2006 [DI 166]
4. Response to Plaintiff's Motion to Reopen Adv. Proc.11/07/2006 [DI 167]
5. Response to PVA's Motion to Dismiss 11/08/2006 [DI 168]
6. Reply to Response in Opposition to Debtor PVA's Motion to Dismiss 11/10/2006 [169]
7. Response to Opposition to Debtor PVA's Motion to Dismiss 11/13/2007 [DI 170]
8. Reply Motion to Reopen Adversary Proceeding 11/28/2006 [DI 171]
9. Order setting Hearing 12/13/2006 [DI 172]
10. Proposed Consent Order to Motion to Dismiss PVA 01/18/2007 [DI 174]
11. Order Dismissing case against PVA 01/19/2007 [DI 175]

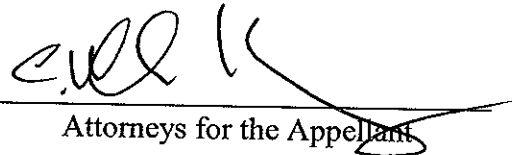
12. Certificate of No Objection 01/30/2007 [DI 176]
13. Brief 02/15/2007 [DI 177]
14. Answering Brief 03/14/2007 [DI 178]
15. Reply Brief 03/30/2007 [DI 179]
16. Appendix 04/10/2007 [DI 180]
17. Notice of Completion of Briefing 04/11/2007 [DI 181]
18. Transcript of Hearing of May 25, 2007 6/18/2007 [DI 184]
19. Memorandum Opinion 8/24/2007 [DI 185]
20. Order related to Opinion 8/24/2007 [DI 186]
21. Motion to Reconsider 9/10/2007 [DI 187]
22. Order Overruling the Objections 9/14/2007 [DI 188]
23. Notice of Appeal 9/24/2007 [DI 189]
24. Motion to Extend Time 9/24/2007 [DI 190]
25. Letter from Mr. Angstreich to Court 9/25/2007 [DI 191]
26. Letter from Mr. Tarasi, Jr. 9/25/2007 [DI 192]
27. Brief in Support of Motion to Extend Time to File Notice of Appeal 9/25/2007 [DI 193]

II. STATEMENT OF ISSUES

1. Whether the trial court erred in concluding that the "Settlement Agreement" is merely a distribution agreement such that it would not support a finding that the 99.9% complete "Pierce software" would be an upgrade, update, name and/or new version of the "software assets"
2. Whether the trial court erred in concluding that under the "Settlement Agreement", Mr. Horan did not have the right to manufacture "software assets" including the manufacturing of units comprised of his own hardware with the 99.9% complete "Pierce Software"?
3. Whether the trial court erred in concluding that the "Pierce Software" was not an upgrade, update, name and/or new version of the "software assets" because it was inoperable even though it was 99.9% complete, operated on PC computers and only required being "hooked up" to functioning hardware.
4. Whether the trial court erred by determining District Court previously determined that the Pierce Software was inoperable without any citation and given the Third Circuits mandate on remand.
5. Whether the failure to convey to Mr. Horan the "Pierce Software" constitutes a breach of the "Settlement Agreement"

Dated: October 4, 2007

Signed:


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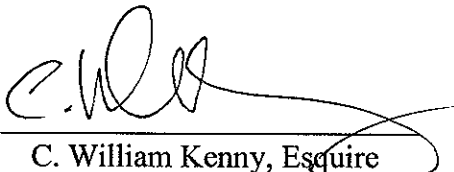
302-656-5999

CERTIFICATE OF SERVICE

I, C. William Kenny, Esquire, do hereby certify that the foregoing Designation was served by electronic and regular mail, postage pre-paid, on this 4th day of October, 2007, upon the following;

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